

1 THE HONORABLE BENJAMIN H. SETTLE
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 CRYSTAL MORROW, et al.,

12 Case No. 20-cv-05062-BHS

13 Plaintiffs,

14 vs.
15
16 **DECLARATION OF DAMON C.
17 ELDER IN SUPPORT OF
18 DEFENDANTS' SUPPLEMENTAL
19 MOTION FOR SUMMARY
20 JUDGMENT**

21 ETHICON, INC., et al.,

22 Defendants.

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24 **NOTED: AUGUST 28, 2020**

25 I, Damon C. Elder, declare as follows:

1. I am an attorney with Calfo Eakes LLP and represent Ethicon, Inc. and Johnson and
2. Johnson (collectively, "Ethicon") in this action. I am over eighteen years of age and am competent
3. to testify herein. I make the following statements based on my personal knowledge.

4. Attached as **Exhibit A** is a true and correct copy of a Plaintiff Fact Sheet for
5. Plaintiffs, dated May 11, 2020.

6. Attached as **Exhibit B** is a true and correct copy of excerpts from the deposition of
7. Plaintiff Crystal Morrow, dated June 6, 2018.

8. Attached as **Exhibit C** is a true and correct copy of correspondence from Plaintiffs'
9. counsel, dated June 5, 2018.

10 ELDER DECL. ISO DEFENDANTS' SUPP.
11 MOTION FOR SUMMARY JUDGMENT
12 (Case No. 3:20-cv-05062-BHS) - 1

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1 I declare under penalty of perjury under the laws of the State of Washington that the
2 foregoing is true and correct.

3 DATED this 6th day of August, 2020, at Seattle, Washington.

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5 *s/ Damon C. Elder*
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Damon C. Elder